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ABSTRACT

A study considered the relationships of trial lawyers and news reporters, using the coorientation measurement model and Q-methodology, and adapting an analysis of variance experimental design. Sixty statements were constructed and administered to 24 subjects (12 trial lawyers and 12 news reporters) in two large midwestern cities. It was found that: (1) both reporters and their lawyer sources tended to favor a cooperative relationship; and (2) communication goals, not relationship types, tended to distinguish occupational groups. Findings imply that, while reporters are seen by both groups as making their own decisions about the news and what to write, there is also a general view that the quality of what they write improves when they get source assistance--such as clarification--from trial lawyers, and that lawyers offer this sort of help only to those reporters they trust. (Five figures, 9 tables of data, and 91 notes are included.) (SR)

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A COORIENTATIONAL ANALYSIS OF TRIAL LAWYER AND NEWS REPORTER RELATIONSHIPS*

By

Jeremy Harris Lipschultz**

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A B S T R A C T

"A Coorientational Analysis of Trial Lawyer and News Reporter Relationships"

By Jeremy Harris Lipschultz

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Social science data are sparse on the behaviors of prosecutors and defense attorneys in terms of their interaction with the news reporters who frequent the local courthouses and halls of justice. Yet social interaction that occurs in this news gathering setting likely affects news content that members of the public are left to assess.

The present study considers the relationships of trial lawyers and news reporters in light of classic reporter-source empirical generalizations and more recent work on "symbiosis" and "information subsidies." The coorientation measurement model and Q-methodology are employed. An analysis of variance experimental design was adapted for use in the study. Sixty statements were constructed and administered to twenty-four subjects including twelve trial lawyers and twelve news reporters in two cities.

All coorientation correlation coefficients were positive and statistically significant for measures of accuracy, agreement and congruency in the coorientation measurement model. There were no significant differences between a priori occupational groups.

A significant main effect along a relationship type dimension of the statements was found; both reporters and their lawyer sources tended to favor a cooperative relationship. Linear and quadratic models were retained in the analysis. A significant double-interaction of relationship type and communication goal dimensions was retained. Communication goals, not relationship types, tended to distinguish occupational groups.

The two occupational groups divided into two occupational factor types for their sorting of statements reflecting their own orientations. There were three factor types for estimates of the "average" member of the other occupational group. Second-order factoring found intercorrelated types; only reporter estimates of trial lawyer orientations were distinguishable from the other Q-sorts.

The pattern that emerges from the positive and negative consensus items of the two occupational groups strikes to the very heart of the presumed relationship: It appears that reporters are seen by both groups as making their own decisions about news; they avoid being told what to write. On the other hand, a general view emerges that suggests the quality of what they write improves when they get source assistance--such as clarification--from trial lawyers. However, lawyers only offer this sort of help to those reporters they trust, and it is not clear from the literature or the present study what sub-variables are related to overall trust in the relationship. Further research is suggested.

A Coorientational Analysis of Trial Lawyer and News Reporter Relationships

Crime is frequently featured in local news reports[1] and depicted dramatically for the public in television fiction,[2] but few citizens would see it as their duty to personally observe a local court session. Thus, it is only the newsworthy case that attracts public attention through media coverage:

> Most criminal trials go unnoticed by the public; almost all civil cases remain obscure. That the press may (emphasis in the original) report a case structures the expectations and behavior of those making judicial decisions in somewhat the same way as if the press did report every case. It is difficult, however, to measure the precise impact of this phenomenon.[3]

Social science data are sparse on the behaviors of prosecutors and defense attorneys in terms of interaction with the news reporters who frequent the local courthouses and halls of justice of this country.[4] Yet the social interaction that occurs in this setting certainly leads to the news content that members of the public are left to assess. Whether or not news content affects public opinion formation about the criminal justice system is an empirical question.

Historical Skepticism

Public skepticism appears to predate modern news coverage. Before 1820, for example, Reid found that most law was legislative, reflecting faith in common people; courts, by contrast, were historically distrusted because they were created and supported by the crown.[5] The current system developed as a highly local affair, but the comprehensive lower court system developed with a protective right of appeal. Yet while the system itself places faith in this, journalists and journalism text-book writers often ground First Amendment desires in the view that the system is not safe without them. News coverage is said to "encourage judges and prosecutors to perform properly and witnesses to tell the truth."[6]

The idea that news reporters are "watchdogs" over court operations implies that the relationships between attorneys and journalists may become strained. Yet little can be concluded about the communication behaviors of these groups from the developing research; it cannot be assumed that the relationships are adversarial.

The present study, then, applies the coorientation measurement model[7] and reporter-source interaction literature[8] to investigate the nature of relationships between trial lawyers and news reporters in coverage of local court cases. It cannot be assumed that generalizations about traditional reporter-source relationships are applicable to the trial lawyer-beat reporter relationship.

Reporter-Source Interaction

Drechsel, in one of the few comprehensive studies of local courts, found that reporters and trial court sources agree "to a surprising degree" on roles and functions:

> Both groups are willing to see the press as an educator and, to a degree, as an interpreter and critic of trial court activity. They agree on the value of objective reporting, and they agree that the press should at least not defer to the judiciary by doing as much as possible to avoid conflict. On the other hand, the sources appear to prefer a more passive press than do the reporters, and therein lies the potential for reporter-source friction. That is, as reporters move toward a participant orientation and away from the neutral, they put more distance between themselves and sources.[9]

The economic exchange behavior model has been employed by Stanga to suggest that information obtained from the public record is "free" while that which comes from police and court sources is not.[10] The reporter gains information and saves time, the argument goes, while s/he provides "non-material payments" such as: (1) including a name in a story; (2) showing respect for the source's job; (3) winning the friendship of the source; or (4) writing stories that portray work of authorities in a favorable light.[11]

But for commodities to be exchanged by members of different occupational groups, there must be a degree of trust, if not understanding. Why would a source provide a reporter with optional information if he or she did not have a good idea of how that commodity would be used?

Trial Lawyers as an Occupational Group

By 1985, there were an estimated 675,000 lawyers in the United States, or one for every 354 persons.[12] Of course, most do not work trials that attract media attention. So while a city such as Indianapolis has an estimated 3,200 active attorneys, only a handful appear to have routine contact with media.[13] About two-thirds of all lawyers are in private practice, and many deal in areas of the law that are not covered by the press.[14]

The nature of the American legal profession is changing. Some scholars suggest that the inclusion of more women and minorities in the occupation, and the addition of many younger lawyers, makes it more difficult to generalize: "Lawyers today look less like a homogeneous category of independent professionals."[15]

A more critical question in this study is whether or not public prosecutors and defense attorneys have similar media orientations. It is known that these two groups do have some differing goals and objectives.[16] Yet, the two groups also work closely together in a tight social setting.[17] Cole found a tendency for ex-deputy prosecutors to enter private criminal law because of "inside knowledge of the prosecutor's office and friendships made with court officials."[18] And defense attorneys have been portrayed in the literature as "double-agents" who look out for the interests of the client, the system and their own profitability.[19] Still, Boyum and Mather conclude:

"Communication patterns in courts have not been extensively studied."[20]

Journalists as an Occupational Group

Among journalists, broadcast reporters may be a special case: they may be on the job for a shorter time, they may cover trials infrequently, and they may be younger and less experienced.[21] It has been said that "news people in broadcasting are less likely to establish roots and ties in local communities, and are more clannish in their patterns of social relations."[22]

The broadcaster appears to have special needs of audio and visual production. In the words of one former television reporter, "[Y]ou've got to have pictures."[23] Absent pictures of the courthouse, judges, attorneys or victims, the television reporter simply may have no story.

It is unclear, however, how functional differences between newspaper and broadcast reporters are reflected in content decisions or cognitive processes. Stocking and Gross prefer to view the reporter as encountering a variety of stimuli that are matched against previously stored information; thus, all new information must be categorized and labeled based on a previously developed schema.[24] "Cues" from sources, organizations and other journalists may all help the uncertain reporter draw inferences and make judgments, but the journalist's observations are not systematic: "Not only may journalists sample sources in a biased way, but they may also ignore the fact that there are

inherent inaccuracies associated with the drawing of conclusions from biased samples."[25]

A Theoretical Framework for Studying Reporters and Sources

The theoretical questions that are being raised in the reporter-source literature today are by no means completely original. More than two decades ago Gieber and Johnson studied city hall reporters and their sources and hypothesized three different relationships: the reporter might be completely independent of the source, the reporter and source might cooperate and have overlapping perceptions of role and function, or the social system of the source might absorb the reporter.[26]

INSERT FIGURE 1 ABOUT HERE

Gieber and Johnson found that source and reporter share frames of reference, but in reaction to news events the two groups had different communication goals: reporters seek to distribute news quickly and widely, but sources wish to fit the particular event into the context of broader institutional policy through psychological control: "The reporters' 'in-group' loyalty and other factors make them unwitting adjuncts."[27]

This classic view is consistent with later work by Miller and the conclusion that reporters and sources have a mutual relationship or "symbiosis."[28] Gaudino recently proposed that adoption of source values depends upon the

degree of journalist need for "social or professional acceptance by the source or source group."[29] Ervin, likewise, found that the relationship between police officers and reporters on crime news values neither represented clear cooperation nor was it as antagonistic as trade literature suggested.[30] Generally, it has been found that where reporters and sources are in interaction, the communication functions to bring the groups together on views of the system, whether that be a statehouse,[31] a classic public relations setting,[32] or the interaction between government political officials and the press.[33]

Coorientation as a Measurement Tool

By studying interaction as observable communicative acts,[34] social reality can be seen as the place where individuals test orientations.[35] Variations may exist, then, in the intensity of an attitude toward an object or group member. Chaffee and McLeod helped to focus research interest on accuracy as a measure of communication.[36] Coorientation does not, for purposes here, imply that reporters and lawyers are required to change their own views about social reality as they interact in the environment. First, we have no accurate gauge of what they think before they enter their occupations. Second, we do not know to what degree these values are a function of similar social position. Thus, accuracy of others' views is at issue. Stamm and Pearce suggest a learning takes place: "Particularly when people interact frequently, they develop expectations about whether

the other will agree with them about certain objects."[37]

Coorientation as a broad research strategy has been useful in measurement of person-to-person and person-to-object relationships; five possible measures of three variables--accuracy, agreement and congruency--are possible.

INSERT FIGURE 2 ABOUT HERE

Coorientation, then, provides a way to quantitatively map cognitions by employing correlational data.

Research Justification

The study of relationships between news reporters and trial lawyers builds on a body of developing literature about reporter-source interactions in different settings,[38] and it fits nicely with empirical studies of law that echo classical legal realism.[39]

Research that looks at the construction of news, views content as determined by "flow of information between newsmen and their sources."[40] News, as a product of consensus, is said to vary from newsroom to newsroom, from beat to beat; news consensus is an authenticating process to help reporters cope with uncertainty.[41] Whatever the news values may be,[42] recent research hints that some uncertainty may derive from a skeptical view of rival media: particularly when reporters cover complex legal issues, they may be more confident about their own abilities than those of the competition.[43] Print and broadcast court reporters appear to carry a certain skepticism about their

counterparts.[44] Particularly where information brokerage involves complex information, "close-knit" networks can develop.[45] Thus, one would expect a long-time print beat reporter and veteran trial attorney to view the relationship in a different context from those who are less familiar. Previous journalism research is lopsided in its focus on routine work of reporters without regard for their interaction with different sources. Shields and Dunwoody, for example, studied a statehouse pressroom; while acknowledging a "shared culture" through interaction with sources, the attention quickly turns to description of reporter types irrespective of the sources.[46] It has been suggested that "gatekeeping" by editors ultimately limits the degree of reporter-source symbiosis.[47] "News is not necessarily what happens but what a news source says has happened because news doesn't 'happen' until there is an exchange of information between newsmen and sources."[48] As Graber suggests, "Inevitably, the stories that are published represent a small, unsystematic sample of the news of the day."[49]

Communication patterns on beats involve: (1) reporter networks; (2) source networks; (3) editor oversight; (4) source employer oversight; and (5) unique reporter-source, and possibly editor-source relationships.

Despite normative views that journalists and lawyers are somehow fundamentally different,[50] systematic study has found that both groups are mostly indifferent. Courts regularly are covered by young reporters with other duties

and no formal legal training.[51]

Hypothetical Reporter-Source Relationships

Gieber and Johnson, building on the theoretical work elaborated in the Westley-MacLean communication model, formulated three hypothetical reporter-source relationships.[52] In the first construction, two communicators are seen as being in "well-differentiated bureaucratic functions, role assignments and perceptions, social distance, values, etc."[53]

> A and C, as members of disparate social systems, remain independent of each other and the purposes of their assigned roles of perception of function are dissimilar.[54]

This view may be seen as similar to the conventional adversarial nature of the relationship between reporters and government. An independent reporter looks inward to professional or organizational norms and constraints. It is not assumed that these norms and constraints, however, guide the reporter to be a "watchdog" of government.

In the second relationship type, reporter and source are seen as members of separate bureaucratic structures, but cooperation produces an agreement in perceptions and overlapping values.[55]

> A and C, although members of different bureaucratic structures, cooperate in terms of their assigned communication roles and agree in their perception and function.[56]

This view is similar to Miller's "symbiosis" between reporter and source.[57]

The third hypothetical relationship type finds the reporter presumably absorbed by the social system of the source. The nonindependent news reporter is "consumed" or "captured" by the world of the source.[58]

> A's social system absorbs C, or vice-versa, so that the roles of A and C no longer are independent and perception of function is similar.[59]

While it is theoretically possible that the source could be absorbed by the social system of the reporter--and no doubt on occasion this does happen--it is by no means clear what variables would be at work.

Gieber and Johnson's framework suggests that the second overlapping relationship type best describes the common relationship between source and reporter. Ultimately, it is argued that the difference between the two types of participants is in their differing communication goals.

Communication Goals: Distribution or Assimilation

The key to understanding the role of communication goal is to consider frame of reference of reporters and their sources. It is assumed that, generally, members of each group <u>partially</u> adopt the frame of reference of the other social group; it is unexpected that relationship types will be neither completely independent nor totally consumed. Therefore, Gieber and Johnson turn to Cater's suggestion that sources are "assimilative" while reporters are "distributive."[60] A source responds to newsworthy events by relating it to the broad body of policy, but a "reporter's first impulse, on the other hand, is distributive: he seeks

to communicate the newsworthy event as speedily and widely as possible."[61] Thus, occupational requirements of sources and reporters are deemed more important than the orientational posture of confrontation or cooperation. In coverage of local courts from an assimilative perspective, sources would provide "information subsidies" only to the extent that the information fits with broader goals of the justice system. News would be described to reporters within the context of the legal mechanism. But, it is unclear whether these goals need always be in conflict with the distributive interests of news reporters.

Clearly, a criminal justice system designed to deal with defendants might be such that distribution of news serves quite well the needs and goals of policy. As Subin found, in a system where indifference about the defendant exists, news coverage itself may be seen as part of the punishment.[62] Trial courts operate within a political system resting on: "daily contact among party activists within the courts building, direct exposure to witnesses, counsel, newspaper reporters and community reactions, and on the past experiences and future aspirations of judges."[63] Within this sort of social context, complex motivational forces may be at work in any given set of circumstances.

In constructing an empirical view of the courts, the present study focuses on the degree to which trial lawyers and news reporters are similar in their values of news

events in the system.

Key Questions

The primary research questions guiding the study are:

1. Are trial lawyers and reporters different in their orientations toward news and reporter-lawyer relationships?

2. Can trial attorneys accurately predict orientations of news reporters, and can journalists accurately predict lawyer orientations toward news?

3. Do the two groups perceive orientations as being similar?

4. Is there a theoretical structure that distinguishes journalists from their sources in terms of communication goals?

5. Are lawyers and reporters theoretically distinct occupational groups in orientations toward legal newsgathering?

The literature review in this study generated the hypotheses to be tested empirically in the present study.

Hypotheses

The study tests five specific hypotheses generated from three levels of inquiry: (1) the measurement of coorientational variables; (2) the test of Gieber and Johnson's construction; and (3) the test of differences between occupational groups.

Coorientation Hypotheses[64]

Coorientation as a measurement tool tests perception of

shared values, or congruency. Because beat reporters and their sources communicate regularly, there should be some perception by each group that their own views are not that different from those of the other group. But it is predicted that reporters artificially distance themselves from the values of sources as a matter of tradition. Therefore, one would expect source congruency to be higher.

Congruency Hypotheses

1.a. Lawyer congruency will be positive and statistically significant.

1.b. Reporter congruency will be positive and statistically significant.

1.c. Lawyer congruency will be significantly higher than reporter congruency.

The next question involves accuracy: can members of one group accurately predict the views of the other? It is predicted that both groups will be accurate, but sources should have greater accuracy when it comes to news values because of regular access to news content. Thus, it is hypothesized that trial lawyers use news content as a gauge of reporter values in addition to interpersonal contact.

Accuracy Hypotheses

2.a. Reporter accuracy of lawyer orientations will be positive and statistically significant.

2.b. Lawyer accuracy of reporter orientations will be positive and statistically significant.

2.c. Lawyer accuracy will be significantly greater than reporter accuracy.

The final coorientation measure is agreement, or the actual relationship between each set of group values. The notion of overlapping relationship suggests high agreement.

Agreement Hypothesis

3.a. Reporter-lawyer agreement will be positive and statistically significant.

For congruency, accuracy and agreement the tests are for all trial lawyers in the study as one group and all news reporters in the study as another group. Correlation coefficients are utilized.[65]

Hypotheses Testing Gieber and Johnson

The framework is tested utilizing scores from a priori occupational groups in an analysis of variance model.[66] Sixty Q-statements were constructed with six groups of ten that represent six theoretical conditions: one of three relationship types and one of two communication goals. Essentially the design proposes that reporters and court sources will be cooperative but that the groups are distinguishable by virtue of differing communication goals.

Functional Communication Goal Differences Hypotheses

4.a. There will be a significant main effect along the relationship type (RT) dimension.

Because both groups are expected to disagree with "captured" statements, agree with "overlapping" or cooperative statements, and disagree with "independent" statements, a curvilinear relationship was also expected.

4.b. The relationship type (RT) trend will be linear.

The occupational groups should have communication goals that are different.

4.c. There will be a significant interaction between the communication goal (CG) dimension and that of occupational type (OT), lawyer or reporter.

Should this "double-interaction" effect be strong, it would, in effect, hold-up in the "triple-interaction" test that includes the similar effects of relationship type.

4.d. There will be a significant triple interaction between the relationship type (RT) dimension, the communication goal (CG) dimension and the occupational type (OT) dimension.

The point of the theoretical examination is to empirically deduce the degree of differences or similarities in the two occupational groups. Because the present study employs Q-analysis, individuals will be treated as "variables" in a factor analysis.[67]

Occupational Group Hypotheses

The present study predicts that trial lawyers and news reporters, though holding similar views, do not hold the same views structurally.

Hypothesis of Occupational Differences

5.a. Factor analysis of the "own" sorts of statements by members of each occupational group will yield two distinct response patterns clearly representing journalist and attorney orientations toward the issues in the statements.

Despite the prediction that these two groups will have high agreement, it is speculated that the occupational socialization differences will result in group differences of response.

Method

Sixty constructed statements represented six distinct conditions in a theoretical cross-partition. Each of twenty-eight respondents--fourteen trial attorneys and fourteen news reporters--was asked to sort the statements twice, first representing their own orientations, and second as they estimated that an "average" member of the other occupational group would respond.[68]

Respondents were selected from two working courthouse groups, one in Indianapolis, Indiana and one in Louisville, Kentucky. Initial contacts were made by telephone, and a "nominating" process was used to create lists of reporters and trial lawyers that were in frequent contact. Appointments were made, and interview sessions were conducted in October 1988.

After completing the two Q-sort tasks, respondents answered a short questionnaire. Additionally, most participants also took part in a qualitative interview "debriefing" session on the topic and their responses.[69]

The groups under study were news reporters who regularly cover local courts and trial attorneys likely to be sources for stories written about cases. Within the journalist group, court "beat" print and broadcast reporters were studied. Within the attorney group, prosecutors and

defense attorneys were studied.

Two Cities: Indianapolis and Louisville

Indianapolis, Indiana and Louisville, Kentucky were selected as the two sites for the study because: (1) both communities had substantial court and media social structures; (2) most individuals fitting the above mentioned requirements in both communities agreed to participate; (3) the communities were available for study within budget restrictions; (4) the two communities provided a summed pool of individual respondents for subgroups analyses.[70] While the two pools of respondents appear to provide a rather limited sample at first glance, it must be remembered that the pool is not meant to be representative; instead, it is the testing of theory that provides generalizable results.

Statements on Court News Reporting

An initial list of statements about court news reporting was constructed and tested prior to the collection of data for the present study.[71] Two lawyers and two reporters sorted initial statements in June 1988. Test and retest reliability coefficients ranged from +.43 to +.75.[72] Pretest participants were encouraged to help isolate vague statements and provide suggestions for creation of others. This led to the construction of a revised set of statements test in July 1988. Reliabilities for the second test statements ranged from +.68 to +.76 for their own sorts, and +.62 to +.65 for sorts estimating other occupational groups. In all pretesting cases, test and retest coefficients were

statistically significant.[73] Because most evaluations in any set of Q-statements are assumed to be neutral, some natural variation from one sort to the next--especially where several days pass--is expected for any individual.[74] A final test on the revised statements used in the study produced coefficients of from +.56 to +.63.[75]

Q-methodology

Q-methodology was designed to test theory based on literature available in a field.[76] Individuals order Q-statements in a "Q-sort" along a continuum.[77] In the present study, respondents ranked the sixty statements by sorting into a quasi-normal distribution with fixed numbers of statements required in each of the eleven piles.

INSERT TABLE I ABOUT HERE

Rankings of statements represent an evaluation of each statement against all others. Of concern are the placement of statements at extreme ends of the distribution, reflecting strongly positive or negative views.

There were two separate sorts of the statements for each individual:

1. The respondent sorted the statements based upon his or her own orientations. Journalists sorted as court news reporters, while attorneys sorted as trial lawyers.
2. Each group members sorted as he or she estimated an

"average" member of the other occupational group would respond.

Method of Analysis

Each statement received a score (1-11) for each individual, and these scores were averaged across individual group members. The average scores were correlated against average scores of the other occupational group. Correlational data was used to measure coorientation variables of agreement, accuracy and congruency.

For each individual ten raw scores in each of six theoretical (Gieber and Johnson) cells were averaged. Using analysis of variance models, a priori occupational groups were studied.[78] Orthogonal contrast coefficients were employed to test for linear and quadratic model fits.[79]

Factor analysis was used to find clusters of similar-minded respondents across groups.[80] Respondents provided demographic data and communications behavioral data that was used to describe the factor types.

Coorientation Data Analysis

Correlation coefficients for agreement, accuracy and congruency were used to test coorientation hypotheses.[81] Where significant values were found, tests of differences were conducted. The null hypotheses are that for congruency and accuracy there will be no differences between groups; the Blalock test calls for transformation of r values to Fisher's Zs.[82]

Analysis of Variance Design

An analysis was conducted that tested utility of the theoretical cross-partition employed in statement development. Statement raw scores for each individual were averaged and reduced to six cell means for each individual within each of the two main occupational groups.

INSERT FIGURE 3 ABOUT HERE

The appropriate design was similar to what Lindquist called Type III because unlike a factorial design, "all treatments...are administerable to the same subjects."[83] Dayton treated the repeated measures design as "a three-dimensional factorial with repetition of measurement on just one of the three dimensions."[84] In the present study, however, repetition was on two dimensions, communication goal and relationship type. Individuals were "nested" within the design. Subjects were exposed to combinations of levels. The model tests for: (1) the effects of the B dimension, distributive and assimilative statements, and unique subject and interaction effects; (2) effects across relationship type of the A dimension and interaction; and (3) the effects across the overlapping statements as compared to what else happens.

INSERT FIGURE 4 ABOUT HERE

The model may be depicted graphically in a display of hypothetical interactions between dimensions.

INSERT FIGURE 5 ABOUT HERE

The summary table for the analysis of variance 3 x 2 x 2 design with repeated measures provides all possible effects in the model.

INSERT TABLE II ABOUT HERE

In the simple case, the ideal factor types I and II would be distinguished solely on the basis of occupation.

Factor Analysis of Q-sorts

The QUANAL[85] computer program was used in the present study. Factors were extracted using a principal axis solution with rotation to oblimax (oblique) criteria and squared multiple correlations as communality estimates. An eigenvalue of 1.00 was the initial criterion for halting factoring.[86] Initial solutions were specified that included predicted sorts. Normalized factor scores (z-scores) were produced for each of the sixty statements of each type. Factor scores were calculated using a weighted procedure that emphasized respondents with the highest associations on hypothetical factor types.[87]

$$\text{Weight} = \text{Loading} / 1 - \text{Loading}^2$$

Consensus and difference scores were produced for

statements; a consensus item was any statement for which there was no difference as great as one normal unit across all factor types.

Results

Of the twenty-four respondents in the present study, six worked for daily newspapers, six worked for electronic broadcast media, six were prosecuting trial attorneys, and six were defense attorneys. Half of each subgroup were from Indianapolis, and half were from Louisville. Each respondent sorted the sixty statements once representing his or her own orientations, and again as an estimate of the average member of the other occupational group.

Coorientation Results

All coorientation correlation coefficients were statistically significant for accuracy, agreement and congruency.

INSERT FIGURE 6 ABOUT HERE

Hypotheses 1.a. and 1.b. were retained, but 1.c. was not. Reporter congruency was +.46; lawyer congruency was +.63; but the difference was not statistically significant. Hypotheses 2.a. and 2.b. were retained, but 2.c. was not. Reporter accuracy was +.56; lawyer accuracy was +.70; but the difference was not statistically significant. Hypothesis 3.a. was retained. Reporter-lawyer agreement was +.71.

A post-hoc analysis of agreement, congruency and

accuracy coefficients for the prosecutor, defense attorney, newspaper reporter and broadcaster subgroups was conducted. For agreement, all correlations were positive and statistically significant, but there were no differences among correlations.

INSERT TABLE III ABOUT HERE

For the intrapersonal measure of congruency, all four subgroups were positive and statistically significant at the .05 level.[88]

INSERT TABLE IV ABOUT HERE

For the orientational measure of accuracy, all correlation coefficients were statistically significant.[89]

INSERT TABLE V ABOUT HERE

Gieber and Johnson Framework Results

Hypothesis 4.a. predicted a significant main effect along the relationship type dimension of the statements and was retained. The statements reflecting independent relationship type had a mean value of 58.9, overlapping statements 70.7, and captured statements 50.3 (F Value = 59.61; P > 0.001). Among all respondents, higher agreement was found for the ten overlapping relationship type

statements. A linear trend was retained (F Value = 21.20; P > 0.0001). Hypothesis 4.b. predicted a linear relationship and was also retained (F Value = 21.20; P > 0.0001).[90]

Hypothesis 4.c. predicted a significant double-interaction between communication goal and occupational type and was retained (Interaction F Value = 5.73; P > 0.0256). For lawyers, the mean value for distributive statements was 59.2 and for assimilative statements was 60.7; for reporters, the mean value for distributive statements was 61.6 and for assimilative statements was 58.4.

Hypothesis 4.d. predicted a significant triple-interaction of the effects from relationship type, communication goal and occupation but was not retained (Interaction F Value = 2.86; P > 0.0678).
The pattern lends support to the Gieber and Johnson descriptive model. It is communication goal and not relationship type that distinguishes the two occupational groups. Both lawyers and reporters orient toward a cooperative or overlapping relationship type.

Q-factor Analysis of Own Orientations

Hypothesis 5 stated that the two groups--trial lawyers and reporters--would factor into distinct types based on occupational orientation. Differences between occupational orientations and demographic characteristics of reporters and lawyers in the present study were strong enough to support retention of the final hypothesis that predicted distinct groups.

A two factor solution of own orientations produced the clearest loadings in terms of individuals in one factor or the other. The majority of reporters (10 of 12) were in one type, and the majority of lawyers (8 of 11) were in the other. One defense attorney--the only full-time public defender in the sample--was removed from this solution because he had no significant correlations with other respondents.

The two types in the solution were intercorrelated (r = .65).[91] This was not surprising because the agreement was high between a priori occupational types in the coorientation analysis, but it does suggest a high degree of similarity. A dominant proportion (85.5 percent) of common variance was accounted by Type I factor that was predominantly journalists. This factor included all print journalists.

Consensus Between Factor Types

Consensus items first will be discussed to show the extent to which the types were similar, and then the areas of disagreement will described.

Eight of the ten positive consensus items between the two factors--reporter Type I and lawyer Type II--were overlapping relationship type statements, and all but three were distributive communication goal statements. The consensus items reflect favor in "mature" relationships where both reporter and lawyer participate with lawyers serving as a "reference" among many other possible sources.

The experienced reporter-source relationship allows the reporter to get what he or she needs; but it is also a safe relationship for the source. The strongest statements were: "Experienced news reporters know who to talk to in the local court system." (z = 2.11); "News reporters look to the public, not to trial lawyers, in deciding what to write about." (z = 1.85); "Trial lawyers help news reporters they trust to put events in the proper context." (z = 1.62); "Trial lawyers who see the value of news are most likely to help a journalist." (z = 1.53); and "Trial lawyers can clarify information for news reporters so that the news is reported accurately." (z = 1.50)

There were five negative consensus items for the two types; four of the statements were captured relationship statements, and four were distributive. Both types responded with strong disagreement that lawyers control news coverage, but they also disagreed that reporters avoid lawyer clarifications. The strongest statements were: "News reporters are at the mercy of trial lawyers when it comes to writing news about the local courts." (z = -2.22); and "Without trial lawyers as sources of information, news reporters could not write local court stories." (z = -1.51)

Agreement and Disagreement of Factor Types

Thirteen items reflected strong Type I agreement (z-scores >1.00), and (84.6%) 11 of those were overlapping or cooperative relationship type (RT) statements. Eight of the 13 (61.5%) items were distributive. One way to think of

the reporter type is as viewing reporters as "system users." Reporter types appear to think of the role as that of an active understander of the beat--a beat best understood through knowledgeable lawyers. Among the strongest cooperative consensus statements were: "Experienced news reporters know who to talk to in the local court system." ($z = 2.12$); "Trial lawyers can clarify information for news reporters so that the news is reported accurately." ($z = 1.72$); and "Trial lawyers who see the value of news are most likely to help a journalist." ($z = 1.65$). The statements suggest that where experienced reporters find and build strong relationships with trial lawyers, they can be helpful. Among the strongest distributive consensus statements were: "News reporters look to the public, not to trial lawyers, in deciding what stories to write about." ($z = 1.78$); "Aggressive reporting of criminal cases reveals information the public ought to know." ($z = 1.73$); and "Trial lawyers can clarify information for news reporters so that the information is reported accurately." ($z = 1.72$). The statements suggest that in the eyes of the news reporter type, the reporters should be aggressive but accurate.

All 10 negative items for the Type I respondents--mostly journalists--were captured or independent relationship type statements split evenly between distributive and assimilative dimensions. Of note is that there were no overlapping, cooperative statements disagreed with by both occupational groups. Reporter types disagreed most with the passive role of reporting.

Typical of the reporter type disagreement are two strong captured statements, but one is distributive and the other is assimilative: "News reporters need to be trained in the law or obtain a law degree to fully understand it." ($z = -2.41$); and "News reporters are at the mercy of trial lawyers when it comes to writing news about local courts." ($z = -2.06$). Independent relationship type statements were also strongly disagreed with by the reporter type: "When writing a criminal news story, news reporters avoid trial lawyer attempts to clarify details." ($z = -1.70$); and "When it comes to a broad understanding of the workings of the local courts, trial lawyers live in one world, news reporters live in another." ($z = -1.65$).

For Type II respondents--mostly trial lawyers--six of the nine agreement statements were overlapping relationship type, and the three remaining ones were independent relationship type. The lawyer type can best be viewed as "careful trusters" who view the relationship as one of aggressive reporting of lawyers who use cautious distancing. The two strongest statements were overlapping and assimilative: "Experienced news reporters know who to talk to in the local court system." ($z = 2.11$); and "Trial lawyers help news reporters they trust to put events in the proper context." ($z = 2.05$). The lawyer type agreed that experienced reporters interact with lawyers where trust exists, but two distributive statements suggest that the public and certain lawyers help define the news: "News reporters look to the public, not to trial lawyers, in

deciding what stories to write about." (z =1.92); and "Trial lawyers who see the value of news are most likely to help a journalist." (z = 1.41).

Seven of the 10 negative items for Type II were captured relationship type items split evenly between distributive and assimilative. Typical of these statements were the two strongest items, both of which were captured and distributive: "News reporters are at the mercy of trial lawyers when it comes to writing news stories about the local courts." (z = -2.38); and "Without trial lawyers as sources of information, news reporters could not write local court stories." (z = -1.79). The trial lawyer type strongly disagrees that reporters need them as sources. The trial lawyer type can be viewed as "distancers" who do not see all cooperation between reporters and lawyers as good.
There were 13 items of differentiation between factors types. But in no case was the difference combined with strong agreement by one group and strong disagreement by the other. And no clear theoretical pattern emerged. The clearest interpretation can be made of two independent and assimilative statements where the reporter type leaned toward disagreement and the lawyer type leaned toward agreement: "When it comes to a broad understanding of the local courts, trial lawyers live in one world, reporters live in another." (I = -1.65, II = 0.84, Diff. = -2.48); and "News reporters focus so much on getting the news out quickly that they fail to adequately research documents for background." (I = -0.92, II = 0.89, Diff. = -1.80). The

lawyer type shows some differentiation in the negative orientation toward cooperation; as part of the "distancing" phenomena, they appear to see some benefit in adversarial tension. Reporter types, on the other hand, view reporters as sharing in the courthouse experience.

Q-factor Analysis of Estimates of Others

The three factor solution for the factoring of estimates included: Type I, mostly lawyers accounting for more than half (51.7 percent) of the variance within the solution; Type II, was mostly reporters accounting for one-third (35.4 percent) of the variance; and Type III, two attorneys--a prosecutor and defense attorney--accounting for 13 percent of the variance within the solution.

The Type I estimate is mostly lawyer's perceptions of reporters. Two reporters--one newspaper and one broadcast--were in this type. The response pattern is typified by mostly distributive statements, two overlapping assimilative statements and no captured statements. The lawyer type estimate of reporter orientations is that reporters see themselves as aggressive and independent, doing their own thinking. The strongest statements were: "Aggressive reporting of criminal cases reveals information the public ought to know." ($z = 2.29$); "News reporters are independent-minded people who just want to get the news out to the public." ($z = 2.24$); "Experienced news reporters know who to talk to in the local court system." ($z = 1.99$); "Trial

lawyers who see the value of news are most likely to help a journalist." (z = 1.99); and "News reporters look to the public, not to trial lawyers, in deciding what stories to write about." (z = 1.77)

Of the nine negative Type I estimate statements, that is, lawyer estimates of reporter disagreement, seven were captured relationship type, and five of those were distributive. The strongest negative statements reflect the view of the trial lawyer type that reporters do not care for legal training or advice in their selection and interpretation of news. The strongest statements were: "News reporters need to be trained in the law or obtain a law degree to fully understand it." (-2.44); "Without trial lawyers as sources of information, news reporters could not write local court stories." (-1.90); "News reporters are influenced by trial lawyers in deciding what should be reported." (-1.80); and "News reporters look to trial lawyers in making decisions about what at the local courthouse is newsworthy." (-1.50)

Of the nine leading Type II estimate statements (mostly reporter estimates of lawyer orientation), no clear theoretic structure emerged as in the case of Type I. But generally, the reporter type estimated that lawyers would prefer reporters be trained in the law, think more like lawyers and be guided by legal direction. The reporter type estimate thought lawyers see reporters as "confusers" and not careful thinkers, but lawyers in the present study thought more like reporters than the reporter type

suspected. The strongest statements were: "Trial lawyers find lack of formal legal training makes it difficult for news reporters to understand court cases." (z = 2.02); "Trial lawyers can clarify information for news reporters so that the news is reported accurately." (z = 1.82); "Trial lawyers place in context legal details for reporters' news stories." (z = 1.58); "Feedback from trial lawyers help news reporters gain a better understanding of the justice system." (z = 1.58); "The need to get the news out quickly limits news reporter cooperation with trial lawyers." (z = 1.55)

The statements that Type II respondents (mostly reporters) thought their counterparts would strongly disagree with were mixed in terms of the theoretic cells. However, seven of the 10 statements were captured relationship type. The statements reveal a view by the reporter type that lawyers are quite negative in their perceptions of how reporters do their jobs: avoiding concern about adverse effects of stories, failing to ask the important legal questions; not independent-minded; and not revealing information the public ought to know. The strongest statements were: "Before writing a court story, the news reporter considers the adverse effects of publication." (z = -2.58); "News reporters ask the questions trial lawyers think are important." (z = -2.17); and "News reporters are independent-minded people who just want to get the news out to the public." (z = -1.69)

Differences in Estimates between Factor Types

There were a total of 32 difference statements for Type I and Type II response patterns. The strongest magnitude differences between Type I (lawyer estimates of reporters) and Type II (reporter estimates of lawyers) were on independent-distributive statements of news values: "News reporters are independent-minded people who just want to get the news out to the public." (I = 2.24; II = -1.69; Diff. = 3.93); "Aggressive reporting of criminal cases reveals information the public ought to know." (I = 2.29; II = -1.46; Diff. = 3.75; "News reporters need to be trained in the law or obtain a law degree to fully understand it." (I = -2.44; II = 0.89; Diff. = -3.33); and "News reporters look to the public, not to trial lawyers, in deciding what stories to write about." (I = 1.77; II = -0.63; Diff. = 2.40) Lawyers estimated reporters would agree with these items, but reporters estimated lawyers would disagree with them. The perceptions are in contrast to the actual similarities between the two types.

The two Type III lawyers were different from the other 10 lawyers in Type I in their perceptions of reporter beliefs about cooperation. A theoretical thread emerges showing Type I as predicting reporters would agree with overlapping statements while the two Type III lawyers thought they would disagree.

Second-order Factors

The factor z-scores from the two factor solution of own orientations and the three factor solution of estimates were used as raw data to factor the factors. The five first-order factors produced a clean two factor second-order solution. (See Appendix H) At-issue was how the five first-order factors would cluster to compare "own" orientations of the two types with the three types of estimates.
The mostly reporter group estimate of lawyer orientations factored into a separate type in the analysis. However, despite the difference, the estimate still correlated significantly with the actual mostly lawyer sort (r= .42). The second-order factor types were not significantly correlated (r = .16).

These results suggest that reporters in the present study perceive lawyers as being socially distant from their own journalistic orientations, while lawyers more correctly perceive that they are not that different in their views. Reporters may, by journalistic convention, see themselves as different from their sources. Or, it may be that reporters conversations with lawyers do not yield information that leads to a highly accurate perception. Lawyers, on the other hand, may be able to rely on news copy and the questions reporters ask to see that the two groups are not all that different.

Demographic Differences Between Lawyers and Reporters

In the sample of 12 lawyers and 12 reporters, questionnaire data revealed some important differences between occupational groups: the lawyers were more likely to have worked at the local courthouse for several years, they were more likely to be older, and they were more likely to have strong community ties.

Years at the Courthouse

Half of the six defense attorneys had 16 or more years experience at the local courthouse. One prosecutor and one newspaper reporter had that many years of service, but none of the broadcasters did. Conversely, one prosecutor and no defense attorneys had five or less years, but half of the newspaper reporters and one-third of the broadcasters reported less than five years experience.

Age of Respondents

Lawyers in the sample were generally older than reporters. Five of the 12 lawyers were born before 1940, but only one reporter was 48 years of age or older. Conversely, only one lawyer in the sample was born after 1950, but nine of the 12 reporters--three-fourths-- were younger than 38 years of age.

Community Ties

Perhaps the most striking difference in the occupational groups was on the issue of community ties. All 12 lawyers in the sample said they planned to remain in the

community, but eight of the 12 reporters (two-thirds) said they may not.

Conclusions

The pattern of orientations suggests that the two occupational groups--trial lawyers and news reporters--share many orientations toward news coverage of the courts. Reporters claim a degree of independence from their sources, and the sources prefer to work closely only with trusted reporters. Lawyers orientations toward aggressive reporting appear closer to those of reporters than the news people might think. Both groups see the value of cooperation.

The two occupational groups appear to prefer the experienced or "mature" relationship where both reporter and source are able to play on a field of established ground rules. Lawyers are seen as "references" or sources among many possible alternatives for the engaged reporter. Reporter orientation sees the journalistic role as that of "system user" where the reporter works his or her way through the legal process, and attempts to understand it in a way useful for the writing of news stories. The lawyer orientation, by contrast, sees the relationship with reporters as one in which lawyers must be cautious and careful "trusters" of these system users. In short, the lawyer must be a "distancer" because not all cooperation is seen as good. An adversarial relationship is viewed as healthy.

Cooperation between reporters and their sources is useful. Reporters may need to clarify details for a story.

Yet, where a source is uncooperative, other sources and documents are available. Where trust is present, the lawyer may feed a reporter additional information, and even "use" the reporter, but the lawyer appears to know that beyond a certain point the trust can be lost quickly.

A veteran Indianapolis newspaper reporter put it this way:

> An attorney's job is to represent his client. He gets paid an awful lot of money to do so. And, as such, that's what he does. When you recognize that, then you know where he's coming from and you can put that into context.

So where does the friction come from between some lawyers and some reporters?

> The friction is, "It's none of your goddamn business. This is a private suit between my client and the other client, and I just as soon you leave." The lawyer who says, "My client is terribly innocent and charged wrongly, and I just as soon you leave." The lawyers that understand the game are able to either turn something favorable or deflect criticism.

By going off-the-record, a Louisville defense attorney said he can guide reporters to prosecution weaknesses:

> While I don't comment on it, I'll direct the reporter--the print media anyway--to look at certain aspects of it...[I] try to give a balance to their reporting. Generally, because of the nature of the charges the individuals have, you know, it still comes out looking pretty bad. But they're always throwing the proper questions, and that way, you know, you can stand by your "no comment."

Lawyers in the sample said trust is developed based on an assessment that reportage is accurate: "And whether their reporting something that is pleasant or unpleasant, or fundamentally neutral, as long as they get the facts correct, you feel much better about a reporter than a person

who garbles it, misunderstands it, chooses to misunderstand it, or any combination, or they're too dumb to even come close to understanding it."

Trust manifests itself in different ways. Access, for example, can vary greatly. In Indianapolis, the two newspaper reporters regularly entered the inner offices of the prosecutor's office while broadcasters were required to have an appointment. But in Louisville, neither print nor broadcast reporters had easy access because the commonwealth attorney said, "I respect what they're doing, and they should respect what I'm supposed to be doing." Even where a particular relationship is quite cozy, as in the case of a deputy prosecutor and newspaper reporter in Indianapolis, the lawyer recognized a certain social distance is mandatory:

> If we got too chummy, I would think that there would be some compromising and personalities would begin to interfere with what people envisioned their real job was.

Still, a veteran reporter said there are some questions he simply doesn't ask: "I mean you ask a question, but you don't go ahead and ask all the question, you see?" He went on to say that there are questions that must be asked, and he never completely trusts his sources.

Trust appears less likely in lawyer relationships with broadcast reporters. Television coverage is generally sporadic and not nearly as comprehensive as print coverage. Both lawyers and television reporters agree that the practice of chasing court participants with video cameras is

not good and can be avoided. Said one reporter, "If you'll walk from your courthouse, you know, from there to the elevator, we'll leave you alone after that."

Ultimately, the basic interaction between news reporters and their trial lawyer sources is perceived as turning on the degree of effective communication. Each occupational group has a job to do, and roles develop. Reporters say that some attorneys simply are better at this than others:

> There are some that cooperate virtually all the time. Others, by principle, never cooperate. And the vast majority cooperate in direct proportion to the potential embarrassment to themselves or their client.

Future research should focus on the factors that lead to different types of relationships.

Future Research and Limitations

Many questions are raised by the present study. Why do some reporter-lawyer relationships never develop or break down once they do? How does relationship duration affect the level of trust? What impact does a cozy relationship have on the content of news from the courts? How are relationships altered by other players, such as, editors, judges, and the senior lawyers of a firm or prosecutor's office? The present study employed data from a limited sample of trial lawyers and news reporters: replication; expansion of the data base; and statement and theoretical refinement are needed.

The basic Gieber and Johnson construction was useful in the present study. Overwhelmingly, relationship type

statements suggesting cooperation were preferred by members of both occupational groups. And the two occupational groups did appear to have differing communication goals. But further clarification of the conceptualization of communication goals is need. While news distribution seems rather obvious, it is not so straight forward that assimilation means anything other than non-distribution. If it does, past research and the present study of assimilation have not uncovered that meaning. One wonders if assimilation is the proper label to attach to the relationship; it implies sources pulling reporters into the source orientation. The present data more suggest a source keeping his or her distance from the reporter and--perhaps--more concerned about the occupational dangers of thinking too much like reporters.

NOTES

1

Despite the broadcast and publication of details about the few cases that make the local "news" reports, most cases are never covered. See Doris A. Graber, Mass Media and American Politics, 2d, Washington, D.C.: CQ Press, 1984, pp. 248-254: "The difficulties of the courts in coping with the flood of legal actions, the problems of disparate sentencing policies, and the flaws in the correctional system have all been the subject of sporadic media investigations." More often, coverage appears to focus on dramatic individual cases. For an analysis of how little overall coverage there may be, see Robert Drechsel, Kermit Netteburg and Bisi Aborisade, "Community Size and Newspaper Reporting of Local Courts," Journalism Quarterly, 57:71-78 (1980).

2

Crime has traditionally been fictionalized in police and legal television shows. Courtroom "drama" is said to make clear distinctions between good and evil. While entertainment programming is able to show a crime in progress, it is rare that news actually captures anything but the aftermath of the crime. Some lawyers interviewed for the present study worry that current television fiction such as "L.A. Law" distorts their own images in the eyes of local reporters and public.

3

Herbert Jacob, Justice in America, Courts, Lawyers, and the Judicial Process, fourth ed., Boston: Little, Brown and Company, 1984, pp. 85-100, 152-156. Cf. Doris Graber, Crime News and the Public, New York: Praeger, 1980; George Gerbner, "Trial by Television," Judicature, 63:419-20 (1980).

4

The exceptions to this are: Robert E. Drechsel, News Making in the Trial Courts, New York: Longman, 1983, p. 129; and John Ellis Stanga, Jr., "The Press and the Criminal Defendant: Newsmen and Criminal Justice in Three Wisconsin Cities, Ph.D. Dissertation, University of Wisconsin, 1971, p. 196. Stanga argues that reporter roles are exchange commodities: "A news source will be less than cooperative with reporters if he suspects that the reporter will publish news items placing the source in an unfavorable light" (p. 216). Stanga suggested that a career prosecutor, police and an experienced newsman would be most likely to use exchange behavior, and a non-career prosecutor, police and an inexperienced newsman would have the weakest of relationships. (p. 258)

5
Sue Titus Reid, Crime and Criminology, second edition, New York: Holt, Rinehart and Winston, 1979, pp. 513-14. In most legal systems courts grow from primitive self-help rules, but as the law becomes more precise, there is a need to adapt it through equity to avoid injustice. See George Whitecross Paton, A Text-Book of Jurisprudence, Oxford: Clarendon Press, 1964, pp. 46-51, cf. John Henry Wigmore, A Panorama of the World's Legal Systems, Saint Paul: West Publishing Co., 1928, three volumes. Legal systems evolve at different rates, but the U.S. system has its philosophical roots in the Roman civil law and the earliest codes. See M.H. Hoeflich, "John Austin and Joseph Story: Two Nineteenth Century Perspectives on the Utility of Civil Law for the Common Lawyer," The American Journal of Legal History 29:36-77 (1985). While common law and civil law are clearly different in method, the search for precision in both grew from the early concerns of Roman law, and the importance of the Twelve Tables was not lost on legal thinkers such as Bentham and Austin. Reid, p. 461, noted that: Organized legal professions were abolished after the French and Russian revolutions with lawyers throughout history charged with everything from practicing witchcraft to corrupting justice. In New England, there were attempts to make legal reforms of simplification and decentralization and to regulate if not abolish the legal profession. Before 1700 there was not much formal legal practice in the Colonies. See Stephen Botein, "The Legal Profession in Colonial North America," in Lawyers in Early Modern Europe and America, (ed.) Wlifred Prest, London: Croom Helm, 1981, pp.129-146. Reid also noted that before professionalism took hold after 1870, Indiana permitted people "of good moral character," as voters, to practice law. Bar membership remains voluntary in the state, although standardized training and ongoing study is required.

6
Ralph S. Izard, Reporting the Citizens' News, New York: Holt, Rinehart and Winston, 1982, p.55, quoting a newspaper reporter. For whatever reason, public skepticism today is quite high. See Index To International Public Opinion, 1984-85, prepared by Survey Research Consultants International Inc., (eds.) Elizabeth Hann Hastings and Philip K. Hastings, New York: Greenwood Press, 1986, pp. 30-31, single nation surveys of the judicial system. Gallup Poll data in March 1985 come from a sample of about 1000 people. Of course, belief in justice goes beyond the local courthouse to the general perceptions of fairness. See Melvin J. Lerner, The Belief in a Just World, A Fundemental Delusion, New York: Plenum Press, 1980. Such beliefs may be psychologically functional. Also see, George H. Gallup, The Gallup Poll, Public Opinion 1979, Wilmington, Delaware: Scholarly Resources Inc., 1979, p. 283. Asked about an increase in the

national crime rate, the cross-section identified the court system as too lenient (25%), second only to high cost of living, and unemployment (33%) as reasons.

7
Jack M. McLeod and Steven H. Chaffee, "Interpersonal Approaches to Communication Research," American Behavioral Scientist, 16:469-499 (1973). Cf. Daniel G. McDonald and Carroll J. Glynn, "Rural Communication and Collective Coorientation: The Case of Acid Rain," Theory and Methodology Division, Association for Education in Journalism and Mass Communication, national convention, Portland, Oregon, July 1988.

8
e.g., Judy VanSlyke Turk, "Information Subsidies and Media Content, A Study of the Public Relations Influence on the News," Journalism Monographs, No. 100 (1986); and Susan Heilmann Miller, "Reporters and Congressmen: Living in Symbiosis," Journalism Monographs, No. 53 (1978). Cf. Frederick Fico, "Search for the Statehouse Spokesman: Coverage of the Governor and Lawmakers," Journalism Quarterly, 62:74-86, 94 (1985); Tony Atwater and Frederick Fico, "Source Reliance and Use in Reporting State Government: A Study of Print and Broadcast Practices," Newspaper Research Journal, 8:53-61 (1986).

9
Drechsel, note 4.

10
Stanga, note 4. Cf. Rosary M. Dalba, "Reporter-Source Relationships at the Appellate Court Level," Association for Education in Journalism and Mass Communication, Southeast Regional Colloquium, Law Division, Tuscaloosa, Alabama, March 1988; and Kenneth M. Dolbeare, Trial Courts in Urban Politics, State Court Policy Impact and Functions in a Local Political System, New York: John Wiley, 1967, pp. 122-23.

11
Beyond Stanga, also see: David L. Grey, "Decision-Making by a Reporter Under Deadline Pressure," Journalism Quarterly, 43:419-28 (1966); David Manning White, "The Gate-Keeper: A Case Study in the Selection of News," Journalism Quarterly 27:383-396 (1950); and Paul B. Snider, "Mr. Gates Revisited," Journalism Quarterly, 43:419-427 (1967).

12
Barbara A. Curran, Katherine J. Rosich, Clara N. Carson and Mark C. Puccett, The Lawyer Statistical Report, A Statistical Profile of the U.S. Legal Profession in the 1980s, Chicago: American Bar Foundation, 1985.

13
The estimate comes from a count in the Martindale-Hubbell Law Directory. When lawyers and journalists are asked to "nominate" people who interact frequently from each occupation, a small number of names surfaces. These contacts were made by the author in Indianapolis and Lousiville in September 1988.

14
Supra, note 12.

15
Richard L. Abel, "The Transformation of the American Legal Profession," Law & Society Review, 20:7-17 (1986).

16
See Sheldon Goldman and Austin Sarat (eds.), American Court Systems, San Francisco: W.H. Freeman, 1978; and Peter F. Nardulli, The Courtroom Elite: An Organizational Perspective on Criminal Justice, Cambridge, Mass.: Ballinger, 1978.

17
Abaham S. Blumberg, "The Practice of Law as Confidence Game: Organizational Cooptation of a Profession," Law &. Society Review, 1:16-39 (1967).

18
George F. Cole, "The Decision to Prosecute," Law &. Society Review, 4:331-43 (1970).

19
Id.

20
Keith O. Boyum and Lynn Mather, Empirical Theories About Courts, New York: Longman, 1983. There is some evidence from Drechsel (1987) to suggest that prosecutors and law enforcement officers are more useful sources to journalists than defense attorneys and judges because the prosecutorial investigation often yields new and different information from public records. Robert E. Drechsel, "Communicating the Law: Factors Influencing Judges' Interaction with the News Media," paper presented to the Law Division, Association for Education in Journalism and Mass Communication, Norman, Oklahoma, 1986. Also see Robert E. Drechsel, "Uncertain dancers: judges and the news media," Judicature, 70:264-69 (1987).

21
John W.C. Johnstone, Edward J. Slawski and William W. Bowman, The News People, Urbana: University of Illinois Press, 1976. Also see David H. Weaver and G. Cleveland Wilhoit, The American Journalist, A Portrait of U.S. News People and Their Work, Bloomington: Indiana University Press, 1986. A smaller percentage of broadcast news reporters cover a specific beat. One also cannot ignore the impact of "community ties" of each participant on a particular relationship: Keith R. Stamm, Newspaper Use and Community Ties, Toward a Dynamic Theory, Norwood, N.J.: Ablex Publishing Corp., 1985, p. 64, shows four "resident types" in the theory: drifters, settlers, natives and relocators. For an early community study, see Morris Janowitz, The Community Press in an Urban Setting, Chicago: The University of Chicago Press, 1952, 1967: "The world at the level of the community press appears as a mass of details of parochial concern and the contents of the community press can only take on meaning with some degree of personal acquaintance with the area."

22
Id.

23
"Demystifying the judicial process: how can judges and journalists really help?" Judicature, 67:457 (1984). Tom Crosby, former Washington Star and WRC-TV reporter is quoted.

24
S. Holly Stocking and Paget H Gross, "How Do Journalists Think? A Proposal for the Study of Communicator Behavior," Theory and Methodology Division, Association for Education in Journalism and Mass Communication, national convention, Portland, Oregon, July 1988. Also see Judee K. Burgoon, Michael Burgoon, David B. Buller and Charles K. Atkin, "Communication Practices of Journalists: Interaction With Public and Other Journalists," Journalism Quarterly, 64:125-132, 275 (1987).

25
Id.

26
Walter Gieber and Walter Johnson, "The City Hall 'Beat': a Study of Reporter and Source Roles," Journalism Quarterly, 38:289-97 (1961).

27
Id.

28
Miller, note 8.

29
James L. Gaudino, "A Predictive Framework for Determining How Journalists Determine News," Theory and Methodology Division, Association for Education in Journalism and Mass Communication, national convention, Portland, Oregon, July 1988, p.29.

30
R. Ferrell Ervin, "A Co-orientational Analysis of the Relationship Between Law Enforcement Officers and Newspaper Reporters on Crime News," Ph.D. dissertation, Southern Illinois University, 1981.

31
Stanley T. Wearden, "Attitudes of North Carolina Legislators and Statehouse Reporters Regarding The Use of Anonymous Sources--A Coorientation Study," paper presented to the Communication Theory and Methodology Division, Association For Education in Journalism and Mass Communication, San Antonio, Texas, 1987.

32
Sandra Kruger Stegall and Keith P. Sanders, "Coorientation of PR Practitioners and News Personnel in Education News," Journalism Quarterly, 63:341-47, 393 (1986).

33
Kang Soo Lee, "Attitudes of Korean Government Officials and Newsmen Toward the Role of the Press, A Coorientational Study," Ph.D. dissertation, Southern Illinois University, 1978.

34
Theodore Newcomb, "An Approach to the Study of Communicative Acts," Psychological Review, 60:393-404 (1953).

35
Richard F. Carter, "Communication and Affective Relations," Journalism Quarterly, 42:203-212 (1965).

36
Keith R. Stamm and W. Barnett Pearce, "Communication Behavior and Coorientational Relations," The Journal of Communication, 21:210,211 (1971).

37

Ibid. "For instance, our subjective environment contains the self and another person and a new event occurs: one of the persons will be held responsible for it. That is, we interpret the events as being caused by particular parts of the relatively stable environment." The present study merges theoretical work on coorientation with practical studies on reporters and their sources: Steven H. Chaffee, "Applying the Interpersonal Perception Model to the Real World," American Behavioral Scientist, 16:466 (1973). Also see Joseph N. Capella, "Modeling Interpersonal Communication Systems as a Pair of Machines Coupled through Feedback," in Explorations in Interpersonal Communication, Gerald R. Miller (ed.), Beverly Hills: Sage, 1976, pp. 64-74. Capella's modified model measures actual consensus, perceived consensus for each party (congruency), and communication from each party to the other. In this view interpersonal communications involves three elements: agreement, my perception versus yours; accuracy, my prediction of your perception versus your perception; and realization, my prediction of your prediction of my perception versus your prediction of my perception. Intrapersonal communications, then, involves two elements: perceived agreement, my prediction of your perception versus my perception; and perceived accuracy, my prediction of your prediction of my perception versus my perception. A dynamic equation can be applied to study rates of change in a communication system. Also see: Daryl J. Bem, "Self-Perception: An Alternative Interpretation of Cognitive Dissonance Phenomena," Psychological Review 74:183-200 (1967). Bem argues that a socializing community teaches descriptive responses and that "many of the self-descriptive statements that appear to be exclusively under the discriminative control of private stimuli may, in fact, still be partially controlled by the same accompanying public events used by the training community to infer the individual's inner states. Private stimuli may play a smaller role than the individual himself suspects." Bem cites Mead (1934), Ryle (1949) and Skinner (1953) for early views on social interaction; Also see: Daniel B. Wackman, "Interpersonal Communication and Coorientation," American Behavioral Scientist , 16:540, 542 (1973); Harold H. Kelley, "Communication in experimentally created hierarchies," Human Relations, 4:39-56 (1951). Perceived status differentiation appears to affect the direction and amount of communication between groups; Steven H. Chaffee and Jack M. McLeod, "Sensitization in Panel Design: A Coorientational Experiment," Journalism Quarterly 45:661, 662 (1968). See fn. 8 and comments re: Carol Hilton, "Reporting the Legislature: A Study of Newsmen and Their Sources," paper presented to the Communication Theory and Methodology Division, Association for Education in Journalism and Mass

Communication, Boulder, Colorado, August 1967. Cf. Daniel Riffe, "Comparison of Media and Other Sources Of Information for Alabama Legislators," Journalism Quarterly, 65:46-53 (1988). Riffe found that news media were not a dominant source of information for the lawmakers, but he does not clearly distinguish between the mass media product and interpersonal contact with the statehouse press corps. Listening behavior of lawmakers is important as is the degree of ruralty that exists in their legislative districts. See Michael B. Hesse, "A Coorientation Study of Wisconsin State Senators and their Constituencies," Journalism Quarterly, 53:626-33, 660 (1976); and James E. Grunig and Keith R. Stamm, "Communication and Coorientation of Collectivities," American Behavioral Scientist, 16:567 (1973).

38
e.g. Leon V. Sigal, Reporters and Officials, Lexington, Mass.: D.C. Heath and Company, 1973, p. 60.

39
C. Herman Pritchett, The Roosevelt Court: A Study in Judicial Politics and Values, 1937-1947, New York: Macmillan, 1948. See Joel B. Grossman and Joseph Tanenhaus (eds.), Frontiers of Judicial Research, New York: John Wiley and Sons, 1969. Pritchett developed the "bloc" method of measuring agreement between pairs of justices. Also see, Martin P. Golding, Legal Reasoning, New York: Alfred A. Knopf, 1984; Benjamin N. Cardozo, The Nature of the Judicial Process, New Haven, Yale University Press, 1921, "subconscious forces," p. 171; Jerome Frank, Law and the Modern Mind, Garden City, N.J.: Doubleday, Anchor Books, 1930, 1963; Thomas Schwartz, "Judicial Behavior and the First Amendment," Communications and the Law, 8:75-88 (1986); and also see David Pritchard, "A New Paradigm for Legal Research in Mass Communication," Communication and the Law, 8:51-67 (1986); F. Dennis Hale, "Attitudes of Media Attorneys Concerning Closed Criminal Proceedings," Communication and the Law, 3:3-10 (1981); and Charles A. Johnson, "Content-Analytic Techniques and Judicial Research," American Politics Quarterly, 15:169-197 (1987).

40
For a review of literature on news genre, see Denis McQuail, Mass Communication Theory, an introduction, London: SAGE, 1984, pp. 138-146. Also see, Steve Chibnall, Law and Order News, London: Tavistock Publications, 177, pp. 21-22, 77. He argued that reporters have dominant positive and negative legitimating values. For example, legality, order and fairness are seen as positive. Chibnall also suggested that in reporting violence, press is guided by informal rules of relevancy: (1) visible and spectacular acts; (2) sexual and political connotations; (3) graphic presentation; (4) individual pathology; (5) deterrence and repression.

41
Walter Gieber, "Two Communicators of the News: A study of the roles of sources and reporters," Social Forces, 39:76-83 (1960).

42
George A. Donohue, Clarice N. Olien and Phillip J. Tichenor, "A 'Guard Dog' Conception of Mass Media," paper presented to the Association for Education in Journalism and Mass Communication, Theory and Methodology Division, San Antonio, Texas, 1987.

43
Val E. Limberg, Nicholas P. Lovrich, Charles H. Sheldon and Erik Wasmann, "How Print and Broadcast Journalists Perceive Performance of Reporters in Courtroom," Journalism Quarterly, 65(3): 621-626, 641 (1988).

44
Id.

45
Shirley A. Ramsey, "Communication Competence For the Science Interview: Information Brokers and Authority Brokers," Journalism Monographs No. 107 (October 1988).

46
Steven Shields and Sharon Dunwoody, "The Social World of the Statehouse Pressroom," Newspaper Research Journal, 8:43-51 (1986).

47
Id.

48
Id.

49
Graber, note 1.

50
Lyle W. Denniston, The Reporter and the Law, New York: Hastings House, 1980, pp. 7-8.

51
David Shaw, Press Watch, New York: Macmillan Publishing, 1984, p. 116.

52
Gieber and Johnson, note 26.

53
Id.

54
Id.

55
Id.

56
Id.

57
Miller, note 8.

58
Gieber and Johnson.

59
Id.

60
Douglas Cater, The Fourth Branch of Government, Boston: Houghton Mifflin, 1959, p. 17. Gieber and Johnson cite the page but do not quote.

61
Id.

62
Harry I. Subin, Criminal Justice in a Metropolitan Court, The Processing of Serious Criminal Cases in the District of Columbia Court of General Sessions, New York: Da Capo Press, 1973.

63
Id.

64
Q-analysis is employed. For sixty statements, correlations of .26 are statistically significant at the .05 level but account for only seven percent of variance. For the one-tailed test (alpha =.0005) with 60 df, the minimum statistically significant value for r is .414. It explains 17 percent of the bivariate variation. See Gene V. Glass and Kenneth D. Hopkins, Statistical Methods in Education and Psychology, 1984, p.549. It can be argued that beyond statistical significance, a proportion of variance that is considered meaningful should be decided upon. For example, one-third common variance--a logical choice for meaningful overlap of orientations--requires r values of at least .58. In the present study, hypotheses are retained at the .05 level, but variance is also considered.

65
The coefficients measure the general pattern of similarities between group sorts. See Jack M. McLeod, Lee B. Becker and William R. Elliott, "Exploration of Methodological Problems in Coorientation Research," Association for Education in Journalism, Theory and Methodology Division, Carbondale, Illinois, 1972. The present study goes beyond dyadic relationships and assumes the aggregate is a meaningful reference category. Profile correlations will increase in magnitude as accuracy, agreement and congruency increase. Q-methodology provides a larger than normal pool of observations and information about direction. Also see, Gene V. Glass and Kenneth D. Hopkins, Statistical Methods in Education and Psychology, Englewood Cliffs, NJ: Prentice-Hall, 1984, p. 549. All r values were computed using the statistical program SL-Micro.

66
C. Mitchell Dayton, The Design of Educational Experiments, New York: McGraw-Hill, 1970, pp. 270-282, 291. The design was transferred to the SAS GLM program. The model was developed with the assistance of Dr. John Mouw, Department of Educational Psychology, Southern Illinois University, Carbondale.

67
William Stephenson, The Play Theory of Communication, Chicago: The University of Chicago Press, 1967. Also see William Stephenson, The Study of Behavior, Chicago: University of Chicago Press, 1952. Cf. Jum C. Nunnally, Jr., Introduction to Psychological Measurement, New York: McGraw-Hill, 1970, pp. 446-460. The statements should share what Nunnally calls a "common frame of reference." His four major conclusions on the method are: (1) if the researcher seeks comparative responses, the Q sort has its advantages; (2) the researcher a priori should ensure that sensible responses can be made; (3) use of Q sorts has no impact on separate decisions made about choice of statistical methods of analysis; and (4) the choice to seek comparative data is one of taste, hypothesis and hunch. See alsoWilliam D. Brooks, "Q-Sort Technique," in Methods of Research in Communication, (eds.) Philip Emmert and William D. Brooks, Boston: Houghton Mifflin Co., 1970.

68
Chaffee, McLeod and Elliott, op. cit.

69
The interviews provided additional qualitative information, and they were used as validity checks. In one case a public defender who did not correlate with others in the study expressed harsh anti-press views in the session--views not expressed by reporters or other lawyers in the study.

70
For example, the three newspaper reporters in each city provided a group of six total print reporters to compare with six broadcasters.

71
Pretesting statements is critical because researchers and subjects do not always interpret language similarly. The pretesting also serves as a "reality check" in that it affords an open-ended opportunity for occupational representatives to help to refine the statements before they are locked-in in the study. It can always be argued that the statements and the forced distribution distort "real" orientations, however, the method is beneficial in that it allows the researcher to quantify direct comparisons.

72
Data led to further refinement of the statements.

73
Steven Chaffee and Jack McLeod, "Sensitization in Panel Design: A Coorientational Experiment," Journalism Quarterly, 45:661-9 (1968). One problem is that the act of sorting the statements and knowing a second sort will be conducted within a week may lead to thinking about the statements or talking about them with others.

74
Id.

75
Of particular concern, here, was that all patterns continued to be statistically significant. The values suggest that orientations may not be rigid in terms of the statements employed.

76
Stephenson, op. cit.

77
Id.

78
E. Lindquist, Design and Analysis of Experiments in Psychology and Education, Boston: Houghton Mifflin, 1953, pp. 1-189, 281-284.

79
Elazar J. Pedhazur, Multiple Regression in Behavioral Research, Explanation and Prediction, 2d ed., New York: Holt, Rinehart and Winston, 1982, pp. 271-333. Cf. Dayton, pp. 44-48. The sum of coefficients for each contrast is 0. Dayton says: "For p treatment levels, it is always possible to design a set of p-1 linear contrasts which are mutually orthogonal (i.e. statistically independent)." Where samples sizes are equal, sums and sums of cross products of coefficients for every contrast must be 0.

80
R.J. Rummel, Applied Factor Analysis, Evanston: Northwestern University Press, 1970, pp. 12-29, cf. Kerlinger, pp. 659-692;Raymond B. Cattell, Handbook of Multivariate Experimental Psychology, Chicago: Rand McNally, 1966, pp. 200-211, and Karl J. Holzinger and Harry H. Harman, Factor Analysis, Chicago: University of Chicago Press, 1941, 313-315. For a simple explanation of the decisions to be made in factor analysis, Dennis Child, The Essentials of Factor Analysis, New York: Holt, Rinehart and Winston, 1970, 1973. The components method ignores intrusion of unique variance. For theoretical concerns, see David L. Grey, "Use of Ideal Types in Newsman Studies," Journalism Quarterly, 44:13-16 (1967).

81
Supra, note 64.

82
Hubert M. Blalock, Jr., Social Statistics, New York: McGraw-Hill, 1972, pp. 406-407; Glass and Hopkins, p. 533, Table E.

83
Lindquist, note 78.

84
Dayton, note 66.

85
G. Norman Van Tubergen, QUANAL: User's Guide, Lexington: University of Kentucky, 1975.

86
Id.

87
Id.

88
Nothing in the data suggest that the subgroups are statistically different in terms of orientations about these statements. If one applies the one-third common variance test to the overall attorney and journalist groups, attorney-journalist agreement, attorney accuracy and attorney congruency are "meaningful" while journalist accuracy and congruency are not; but in no case are correlation coefficients statistically different.

89
Id.

90
The relationship type (RT) dimension was ordered along a theoretical continuum where independent statements were least reflective of cooperation, overlapping statements were more cooperative, and captured statements were very cooperative. The curvilinear quadratic fit is reflective of the relationship (F Value = 98.02; P > 0.0001). The mean value for overalapping statements was 70.7, more than ten points higher than the mean value of 60.0 for the statement distribution.

91
See Raymond B. Cattell, Handbook of Multivariate Experimental Psychology, Chicago: Rand McNally &. Co., 1966, pp. 200-11. It is not possible to speak of "true" number of factors. In the two factor solution described here, eigenvalues were: 8.1965 and 1.3903. The scree test suggested six factors; common variance test, five; and Humphrey's test, one. Because no two tests were in agreement, the solution is a compromise determined by analysis of factor loadings.

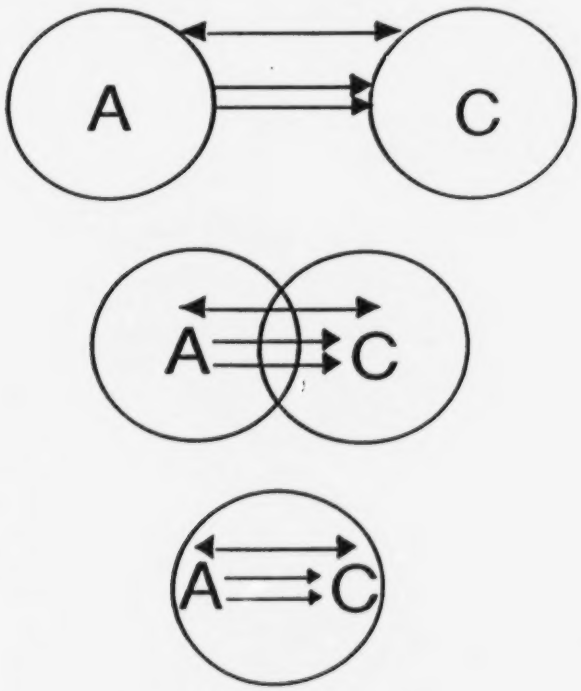


Figure 1. Gieber and Johnson (1960).
Circles in the models refer to frames of reference for communication acts. Communication channels may be formal (double lines) or informal (single lines) "extra-message."

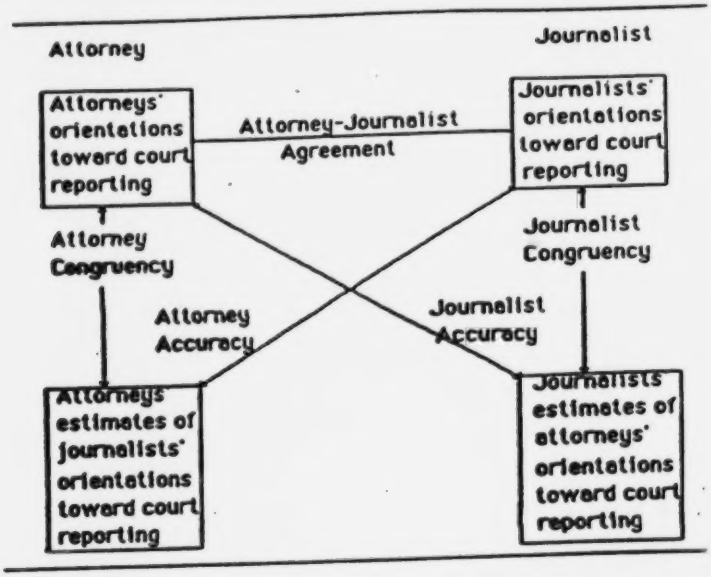


Figure 2. The Coorientational Measurement Model. NOTE: The boxes indicate the measures that are made on each person. Arrows connecting the boxes are labeled to indicate the measures that are compared to construct each coorientational index. (McLeod and Chaffee, 1973, p. 484) The model presented is revised for the study of trial attorneys and journalists.

TABLE I
FIXED DISTRIBUTION OF STATEMENTS

N of statements per pile (frequency)	2	3	4	7	9	10	9	7	4	3	2
Score/values for statements	1	2	3	4	5	6	7	8	9	10	11
	disagree					neutral					agree

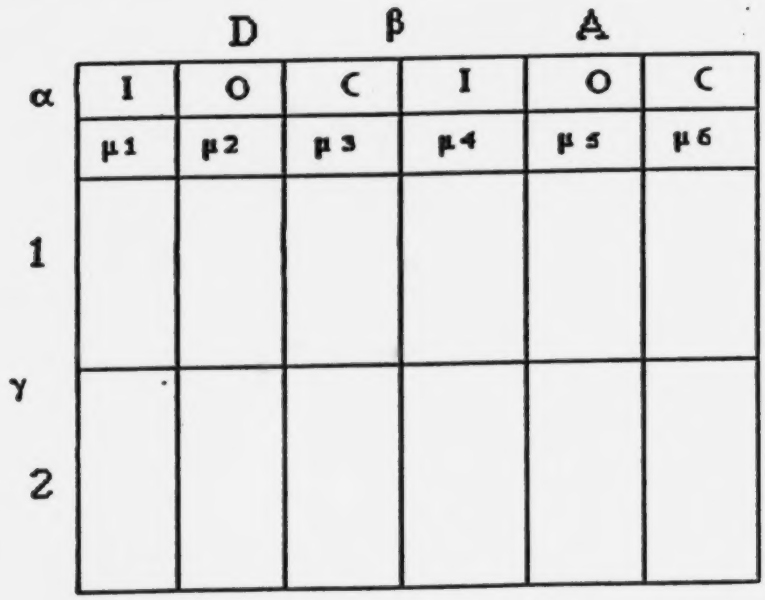


Figure 3. The Analysis of Variance Scoring

$$Y_{ijkm} = \mu + \gamma_j + \pi_{i(j)} + \alpha_m + \alpha\gamma_{mj} + \alpha\pi_{mi(j)} + \beta_k + \beta\gamma_{kj} + \beta\pi_{ki(j)} + \alpha\beta_{mk} + \alpha\beta\gamma_{mkj} + \alpha\beta\pi_{mki(j)} + \varepsilon_{ijkm}$$

Where:

μ = usual grand mean effect

α_m = effect due to dimension A of being at the nth level (RT)

β_k = effect due to dimension B of being at the nth level (CG)

γ_j = effect due to dimension C of being at the nth level (OT)

$\alpha\beta_{mk}$ = interaction of A and B treatments (RT * CG)

$\beta\gamma_{kj}$ = interaction of B and C treatment-subject (CG * OT)

$\alpha\gamma_{mj}$ = interaction of A and C treatment-subject (RT * OT)

$\alpha\beta\gamma_{mkj}$ = second-order interaction of A, B and C (RT * CG * OT)

$\pi_{i(j)}$ = subject unique effect attributable to the nth individual

$\alpha\pi_{mi(j)}$ = error

$\beta\pi_{ki(j)}$ = error

$\alpha\beta\pi_{mki(j)}$ = error

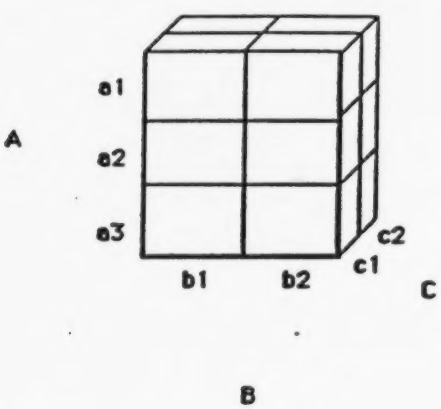
ε_{ijkm} = random error assumed to be normally distributed about 0 and to be homogenous for all treatments

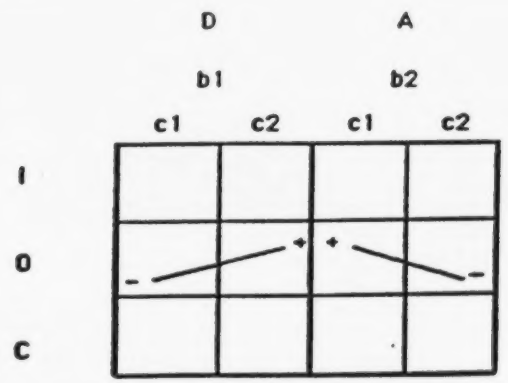
NOTE: Subjects are exposed to combinations of levels of both A and B; the interactions of subjects with A, with B, and with AB appear in the model (the terms AS, BS and ABS). Each subject receives all possible combinations of levels of the A and B dimensions. If A is at three levels and B is at two levels, then each subject produces six scores in the data table. On the other hand, separate groups of subjects appear for the C dimension. In effect, subjects are nested within the levels of C. (See, Dayton, pp. 272-3).

Figure 4. The Analysis of Variance Model

	COMMUNICATION GOAL (CG)	
RELATIONSHIP TYPE (RT)	Distribution (D)	Assimilation (A)
Independent (I)	(ID)	(IA)
Overlapping (O)	(OD)	(OA)
Captured (C)	(CD)	(CA)

Figure 5. Theoretical Statement Typology





Hypothesized Triple AB(C)S Interaction of Dimensions

TABLE II
ANOVA SUMMARY TABLE

Source		Degrees Freedom (df)	
Among Subjects		nr-1	(2*12)-1= 24-1 = 23
C	Occupational Type (OT)	r-1	2-1= 1
S	People Within OT(S)	r(n-1)	2(12-1)= 2*11= 22
Within Subjects		rn(pq-1)	
A	Relationship Type (RT)	p-1	3-1= 2
AC	RT*OT	(p-1)(r-1)	2*1= 2
AS	RT*People Within (S)OT	r(p-1)(n-1)	2*22= 44
			2+2+44= 48
B	Communication Goal (CG)	q-1	2-1= 1
BC	CG*OT	(q-1)(r-1)	1*1= 1
BS	CG*People Within (S)OT	r(q-1)(n-1)	1*22= 22
			1+1+22= 24
AB	RT*CG	(p-1)(q-1)	1*2= 2
ABC	RT*CG*OT	(p-1)(q-1)(r-1)	1*1*2= 2
ABS	RT*CG*(S)OT	(p-1)(q-1)(n-1)	1*2*22= 44
			2+2+44= 48

Within Groups df= 24-1= 23
Between Groups df= 48+24+48= 120
Total df= (24+120)-1= 144-1= 143

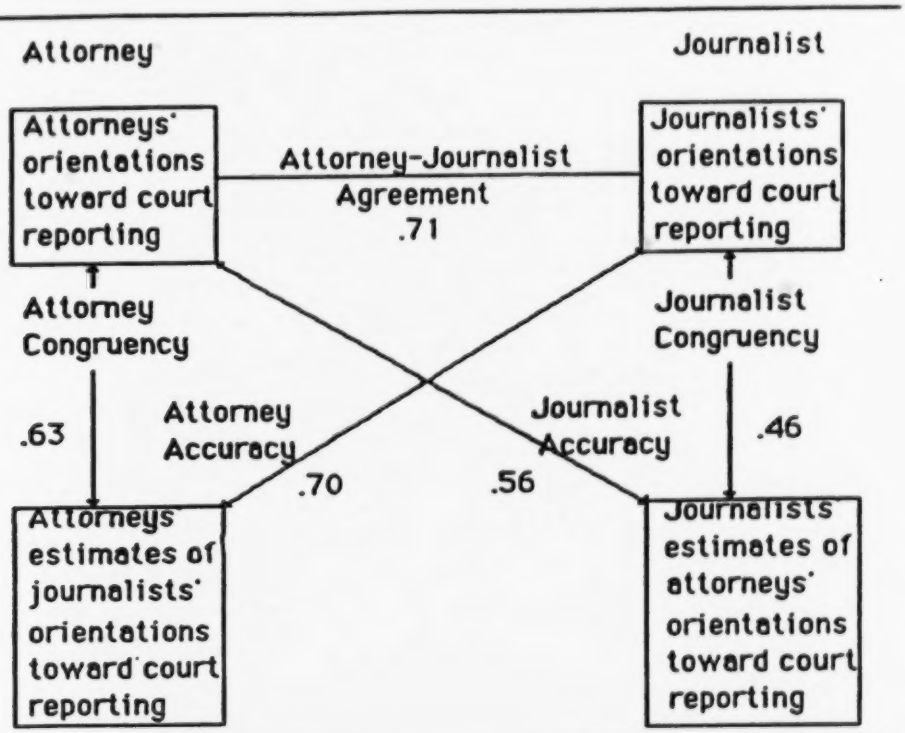


TABLE III

AGREEMENT CORRELATION COEFFICIENTS, OCCUPATIONAL SUBGROUPS

Occupational Group	Prosecuting Attorneys	Defense Attorneys	Newspaper Reporters	Broadcast Reporters
Pros.	-----	.78	.57	.67
Defense		-----	.64	.62
News			-----	.71

TABLE IV

CONGRUENCY CORRELATION COEFFICIENTS, OCCUPATIONAL SUBGROUPS

Occupation	r	Significance
Prosecutors	.55	p <
Defense Attorneys	.62	p <
Newspaper Reporters	.50	p <
Broadcast Reporters	.33	p <

TABLE V

ACCURACY CORRELATION COEFFICIENTS, OCCUPATIONAL SUBGROUPS

Occupation	r	Significance
Prosecutors		
Newspaper Reporters	.56	p <
Broadcast Reporters	.62	p <
Defense Attorneys		
Newspaper Reporters	.64	p <
Broadcast Reporters	.66	p <
Newspaper Reporters		
Prosecutors	.57	p <
Defense Attorneys	.52	p <
Broadcast Reporters		
Prosecutors	.42	p <
Defense Attorneys	.37	p <

I	58.9
O	70.7
C	50.3

Relationship Type (RT) Main Effect
F Value = 59.61; P > 0.001

	D	A
L	59.2	60.7
R	61.6	58.4

Interaction F = 5.73; P > .03

	D		A	
	R	L	R	L
I	61.3	62.6	53.2	58.6
O	74.8	67.5	68.9	71.6
C	48.6	47.5	53.1	52.1

Interaction F Value = 2.86; P > 0.07 n.s.

Independent Distributive (ID) 1-10

1. (ID)

The need to get the news out quickly limits news reporter cooperation with trial lawyers.

2. (ID)

News reporters are independent-minded people who just want to get the news out to the public.

3. (ID)

Aggressive reporting of criminal cases reveals information the public ought to know.

4. (ID)

Court news reporters are concerned about attempts by trial lawyers to influence their stories.

5. (ID)

News reporters look to the public, not to trial lawyers, in deciding what stories to write about.

6. (ID)

Legal strategy in a case may be newsworthy, but reporters don't usually learn much to write about.

7. (IDQ)
Most talk between trial lawyers and news reporters outside the courtroom involves reporters asking questions for stories that lawyers would rather they not write about.

8. (IDO)

News reporters avoid trial lawyer guidance about which court stories to publish.

9. (IDC)

When writing a criminal news story, news reporters avoid trial lawyer attempts to clarify details.

10. (IDP)

News reporters see the compliments by trial lawyers of their court coverage as an attempt to influence future stories.

Independent Assimilative (IA) 11-20

11. (IA)

Most trial lawyers feel a lot more goes on at the courthouse than news reporters care to write about.

12. (IA)

When it comes to a broad understanding of the workings of the local courts, trial lawyers live in one world, news reporters live in another.

13. (IA)

Trial lawyers find lack of formal legal training makes it difficult for news reporters to understand court cases.

14. (IA)

The adversarial relationship between news reporters and trial lawyers that exists at the local courthouse is not beneficial.

15. (IA)

Trial lawyers and news reporters do not form close relationships because of journalistic independence.

16. (IA)

News reporters focus so much on getting news out quickly that they fail to adequately research documents for background.

17. (IAQ)

Trial lawyers deflect news reporter questions by trying to relate newsworthy events to the broad body of court record.

18. (IAO)

Trial lawyers find news reporters avoid broad understandings of the law in a particular case.

19. (IAC)

Since news reporters don't think like trial lawyers, the clarifications attorneys attempt are rarely helpful.

20. (IAP)

News reporters avoid trial lawyers who try to tell them when their stories educate the public.

Overlapping Distributive (OD) 21-30

21. (OD)

When news reporters and trial lawyers cooperate, the public gets the news.

22. (OD)

Cooperation between news reporters and their courthouse sources does not affect the ability of reporters to write objective stories.

23. (OD)

Cooperation between news reporters and trial lawyers is better than conflict in getting news to the public.

24. (OD)

Trial lawyers are often helpful to news reporters, but only when they have the time to be available for stories.

25. (OD)

Documents can be good sources for reporters writing news stories about court cases under deadline pressure.

26. (OD)

Trial lawyers who see the value of news are most likely to help a journalist.

27. (ODQ)

Trial lawyers are usually available to answer news reporter questions about a court story.

28. (ODO)

Trial lawyers are usually available to help place a new aspect of an ongoing story at the courthouse into context for the journalist.

29. (ODC)

Trial lawyers can clarify information for news reporters so that the news is reported accurately.

30. (ODP)

Feedback from trial lawyers helps a news reporter to improve his or her coverage of the local courts.

Overlapping Assimilative (OA) 31-40

31. (OA)

Trial lawyers and news reporters cooperate with each other to keep the system running smoothly.

32. (OA)

Trial lawyers help news reporters they trust to put events in the proper context.

33. (OA)

News reporters and trial lawyers sometimes work together at the local courthouse.

34. (OA)

News reporters who cooperate with trial lawyers do not compromise their role as "watchdog" for the public.

35. (OA)

News reporters can be a good source of information for the trial lawyer.

36. (OA)

Experienced news reporters know who to talk to in the local court system.

37. (OAQ)

Trial lawyers help answer reporter questions by relating newsworthy events to the broad body of court record.

38. (OAO)

Trial lawyers cooperate with news reporters by helping them understand the law in a particular case.

39. (OAC)

Trial lawyers are helpful in clarifying law for news reporters when they direct them to important case citations or precedents.

40. (OAP)

Feedback from trial lawyers help news reporters gain a better understanding of the justice system.

Consumed Distributive (CD) 41-50

41. (CD)

News reporters are influenced by trial lawyers in deciding what should be reported.

42. (CD)

Without trial lawyers as sources of information, news reporters could not write local court stories.

43. (CD)

Trial lawyers take advantage of the need news reporters have for details to be included in news stories.

44. (CD)

News reporters depend on trial lawyers to explain to them what just happened inside the courtroom so they can write their stories.

45. (CD)

News reporters are at the mercy of trial lawyers when it comes to writing news about the local courts.

46. (CD)

News reporters look to trial lawyers in making decisions about what at the local courthouse is newsworthy.

47. (CDQ)

News reporters know what questions to ask, trial lawyers know what answer to give to help get the news out to the public.

48. (CDO)

Trial lawyers place in context legal details for reporters' news stories.

49. (CDC)

Trial lawyers routinely clarify information for news reporters whether or not they need it for their stories.

50. (CDP)

News reporters appreciate when trial lawyers tell them they're doing a good job because it means they write with an understanding of law.

Consumed Assimilative (CA) 51-60

51. (CA)

News reporters are trusted when they begin to see events in the courtroom through the eyes of the trial lawyer.

52. (CA)

News reporters adapt their behavior inside the courthouse to fit with what is viewed as proper by the legal community.

53. (CA)

News reporters who recognize that law and order are essential think twice before writing some stories.

54. (CA)

News reporters need to be trained in the law or obtain a law degree to fully understand it.

55. (CA)

It's important for news reporters to learn from trial lawyers about how to view courtroom policies.

56. (CA)

Before writing a court story, the news reporter considers the adverse effects of publication.

57. (CAQ)

News reporters ask the questions trial lawyers think are important.

58. (CAO)

News reporters look to legal professionals for guidance about understanding the law.

59. (CAC)

News reporters look to trial lawyers to clarify the principles of law.

60. (CAP)

Trial lawyers gain news reporter trust by praising efforts of promoting freedom and justice.

TABLE VI
OCCUPATIONAL SUBGROUPS BY FACTOR TYPE OF OWN SORT

Occupational Group	TYPE I (N=13)	TYPE II (N=10)
Newspaper Reporters	6 (100%)	0 (0%)
Broadcast Reporters	4 (67%)	2 (33%)
Prosecutors	1 (17%)	5 (83%)
Defense Attorneys	2 (40%)	3 (60%)

TABLE VII
OCCUPATIONAL SUBGROUPS BY FACTOR TYPE OF ESTIMATE

Occupational Group	TYPE I (N=12)	TYPE II (N=9)	TYPE III (N=2)
Newspaper Reporters	1 (17%)	5 (83%)	0 (0%)
Broadcast Reporters*	1 (20%)	4 (80%)	0 (0%)
Prosecuting Attorneys	5 (83%)	0 (0%)	1 (17%)
Defense Attorneys	5 (83%)	0 (0%)	1 (17%)

* One broadcast reporter was set-off by himself in the analysis; he had only one significant r with the 23 other respondents, and it was marginal in magnitude.

TABLE VIII
SECOND-ORDER STRUCTURE MATRIX

	Factor Loadings Type I	Type II	Communality	Pure
Factor One				
1. Orientation of mostly reporter type. (N=13)	.85	.20	.65	.99
2. Orientation of mostly lawyer type. (N=10)	.51	-.40	.26	.99
3. Mostly lawyer type estimate of reporters. (N=12)	.76	.26	.65	.88
4. Two lawyers' type estimate of reporters.	.72	.48	.76	.69
Factor Two				
5. Mostly reporter type estimate of lawyers. (N=9)	.20	.67	.45	.99
Total variance	.42	.15		
Common variance	.73	.27		
Eigenvalues	2.31	0.55		
Remaining eigenvalues			.18	-.13 -.23

TABLE IX
COMMUNITY TIES AND OCCUPATION

	Community Ties	
	Plan to stay	May not stay
Occupation		
Prosecuting Attorney	6	0
Defense Attorney	6	0
Newspaper Reporter	3	3
Broadcast Reporter	1	5